

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL WAYNE YOST,

Defendant.

Case No. 2:07-CR-145-KJD-PAL

ORDER

Before the Court is the Government's Unopposed, Urgent Motion to Unseal Documents for Appeal (#1469). Mr. Yost has filed an appeal alleging, *inter alia*, ineffective assistance of counsel. The Government seeks the unsealing of Yost's former counsel's supplement to his motion to withdraw (#1221), as well as three letters placed under seal by Magistrate Leen to preserve the record for appeal (##1247, 1248).

Defendant not only has no objection to the unsealing of these documents, but has waived his attorney-client privilege as to those topics voluntarily discussed in his letters to the Court. (#1469). "[V]oluntary disclosure of the content of a privileged attorney communication constitutes waiver of the privilege as to all other such communications on the same subject." Weil v. Inv./Indicators, Research & Mgmt., Inc., 647 F.2d 18, 24 (9th Cir. 1981).

Accordingly, the Court **HEREBY ORDERS** that docket #1221 and #1248 be made available to the Government and to Yost's appellate counsel.

DATED this 4th day of February, 2015.



Kent J. Dawson
United States District Judge